

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

REGIONAL EMPLOYERS' ASSURANCE : CIVIL ACTION
LEAGUES VOLUNTARY EMPLOYEES' :
BENEFICIARY ASSOCIATION TRUST, BY :
PENNMONT BENEFIT SERVICES, INC., :
Plan Administrator, : NO. 03-6903

vs. :

GRETCHEN HUTTO CASTELLANO :

SETH D. HARRIS, ACTING SECRETARY OF :
LABOR, UNITED STATES DEPARTMENT :
OF LABOR : NO. 09-988

vs. :

JOHN J. KORESKO, V, et al. :

HARRY R. LARKIN, et al. :

vs. :

PENN PUBLIC TRUST, et al. :

GREGORY A. OSWOOD, et al. :

vs. :

PENN PUBLIC TRUST, et al. :

NO. 13-0666

NOTICE OF APPEAL

Notice is hereby given that JOHN J. KORESKO, V, JEANNE BONNEY, REGIONAL EMPLOYERS ASSURANCE LEAGUES VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUST, SINGLE EMPLOYER WELFARE BENEFIT PLAN TRUST, LAWRENCE KORESKO, LAWRENCE TOWNSEND, PENN PUBLIC TRUST, PENNMONT BENEFIT SERVICES, INC., KORESKO LAW FIRM, P.C., KORESKO & ASSOCIATES, P.C. AND KORESKO FINANCIAL, LP, Defendants in the above named cases, hereby appeal to the United States Court of Appeals for the Third Circuit from the Order entered on the 28th day of June, 2013, requiring the Defendants to provide medical information regarding Defendant John J. Koresko's health at or before the hearing scheduled for July 8, 2013 [No. 09-988, Dkt. 391].

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Koresko', with a long horizontal flourish extending to the right.

John J. Koresko, V, Esquire
Koresko Law Firm, P.C.
PA I.D. No. 42795
200 West Fourth Street
Bridgeport, PA 19405
610-992-2200

July 9, 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

REGIONAL EMPLOYERS ASSURANCE : CIVIL ACTION
LEAGUES VOLUNTARY EMPLOYEES' :
BENEFICIARY ASSOCIATION TRUST :

v. :

GRETCHEN CASTELLANO :

v. :

REGIONAL EMPLOYERS ASSURANCE :
LEAGUES VOLUNTARY EMPLOYEES' :
BENEFICIARY ASSOCIATION TRUST :
BY PENMONT BENEFIT SERVICES, :
INC., PLAN ADMINISTRATOR, :
et al. : NO. 03-6903

HILDA SOLIS, SECRETARY OF :
LABOR, UNITED STATES :
DEPARTMENT OF LABOR :

v. :

JOHN J. KORESKO, V, et al. : NO. 09-988

HARRY R. LARKIN, et al. :

v. :

PENN PUBLIC TRUST, et al. : NO. 11-7421

GREGORY A. OSWOOD et al. :

v. :

PENN PUBLIC TRUST, et al. : NO. 13-0666

ORDER


AND NOW, this 28th day of June, 2013, after an on-the-record telephone conference with counsel in the above-captioned case, IT IS HEREBY ORDERED that the hearing scheduled for July 8, 2013, at 9:30 A.M. in Courtroom 13-A shall proceed as a hearing on the temporary restraining order motions and as a status hearing regarding Mr. Koresko's health. The July 8 hearing will not be a full evidentiary hearing. Instead, the Court will hear arguments regarding interim relief at that hearing and discuss with counsel scheduling an evidentiary hearing.

The deposition of Mr. Koresko scheduled for July 1, 2013, is postponed. At or before the July 8 hearing, counsel for the Koresko defendants shall provide: a second declaration from Dr. Bradley that describes the results of Mr. Koresko's MRI and EEG and any other diagnostic tests performed on Mr. Koresko up to that point as well as Dr. Bradley's diagnosis of Mr. Koresko and opinion regarding Mr. Koresko's ability to participate in a deposition and evidentiary hearing; accident reports and other documentation regarding Mr. Koresko's automobile accident; and medical records regarding Mr. Koresko's

concussion sustained approximately five years ago that the recent automobile accident is alleged to have exacerbated.

All documents related to the motion for a continuance that was filed under seal shall be made available, on an attorneys' eyes only basis, to all counsel of record in each of the above-captioned cases.

BY THE COURT:


MARY A. McLAUGHLIN, J.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Appeal has been served upon all interested parties and counsel by electronic means or U.S. First Class Mail to the addresses appearing below and on the date noted:

The Honorable Mary A. McLaughlin
United States District Court for
the Eastern District of PA
601 Market Street, Room 13614
Philadelphia, PA 19106

Linda M. Henry, Esquire
Joanne Roskey, Esquire
Ashton S. Phillips, Esquire
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170 S. Independence Mall West
Suite 630 The Curtis Center
Philadelphia, PA 19106

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John J. Koresko, V, Esquire

July 9, 2013